

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL BROOKS,
Plaintiff,

v.

STEPHEN FENDER, et al.,
Defendants.

Case No. 2:24-cv-01185-CDS-EJY

ORDER

On June 28, 2024, Plaintiff, proceeding *pro se*, submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. The IFP application is incomplete because it fails to include Plaintiff’s inmate trust fund account statement for the previous six-month period.

Accordingly, IT IS HEREBY ORDERED that Plaintiff’s application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that on or before **September 9, 2024**, Plaintiff must either pay the \$405 filing fee for a civil action or file with the Court: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court’s approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. Even if Plaintiff has not been in the custody of the Clark County Detention Center a full six-month period, Plaintiff must submit his inmate financial certificate and trust fund account statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

IT IS FURTHER ORDERED that the Clerk of the Court **must** send Plaintiff the approved form application to proceed *in forma pauperis* for inmate along with the information and instructions for filing the same.

IT IS FURTHER ORDERED that failure to either pay the \$405 filing fee or file a complete application to proceed *in forma pauperis* on or before **September 9, 2024**, may result in a

1 recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows
2 Plaintiff to file his case with the Court, under a new case number, when he is able to comply with
3 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

4 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1)
5 but will not file it at this time.

6 Dated this 4th day of July, 2024.

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9 ELAYNA J. YOUCHAK
UNITED STATES MAGISTRATE JUDGE